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ORACLE CORPORATION, SIEBEL SYSTEMS, INC., and
SIEBEL SYSTEMS, INC. SENIOR EXECUTIVE
RETENTION BENEFIT PLAN

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Attorneys for Plaintiffs
BRUCE CLEVELAND and STEVEN MANKOFF

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BRUCE CLEVELAND and STEVEN
MANKOFF,

Plaintiffs,

v.

ORACLE CORPORATION, SIEBEL
SYSTEMS, INC., and SIEBEL SYSTEMS,
INC. SENIOR EXECUTIVE RETENTION
BENEFIT PLAN,

Defendants.

Case No. C 06 7826 MHP

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER WAIVING
HEARING ON DEFENDANTS'
PETITION FOR ORDER
CONFIRMING ARBITRATION
AWARD AND DIRECTING ENTRY
OF JUDGMENT**

[CIV. L.R. 6-2]

Dept.: 15
Judge: Hon. Marilyn Hall Patel

Action Filed: December 21, 2006

1 PURSUANT TO CIVIL LOCAL RULES 6-2 of the Federal District Court for the
2 Northern District of California, Bruce Cleveland and Steven Mankoff (collectively, "Plaintiffs")
3 and Oracle Corporation, Siebel Systems, Inc., and the Siebel Systems, Inc. Senior Executive
4 Retention Benefit Plan (collectively, "Defendants"), by and through their respective counsel,
5 submit this Joint Stipulation.

6 WHEREAS, Defendants have petitioned this Court for an order (1) confirming the
7 Arbitrator's Final Arbitration Award, dated June 15, 2009, by the Honorable William J. Cahill
8 (Ret.) (the "Arbitrator") of JAMS, and (2) directing entry of Judgment in favor of Defendants in
9 accordance therewith, in the matter of the arbitration between Defendants and Plaintiffs;

10 WHEREAS, Plaintiffs will not seek to vacate, correct, or modify the Arbitrator's
11 Final Arbitration Award, will not appeal the judgment entered by this Court nor seek to prevent
12 the judgment from becoming final in any other manner, and have submitted a statement of non-
13 opposition in response to Defendants' petition;

14 WHEREAS, the parties, by and through their respective counsel, agree that the
15 requested time modification will have no material effect on the schedule for the case;

16 WHEREAS, there have been no previous Rule 6-2 requests by the parties to alter
17 the schedule in the above-referenced case;

18 WHEREAS, Defendants wish to the petition granted on an expedited basis and
19 Plaintiffs, in light of their non-opposition thereto, agree to waive hearing on Defendants' petition;

20 NOW, THEREFORE, Plaintiffs and Defendants hereby AGREE AND
21 STIPULATE, by and through their respective counsel, to entry of an Order of this Court that
22 grants Defendants' petition on the papers, without a hearing.

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24 ///

1 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and
2 between counsel for the undersigned parties as follows:

3 Dated: June 19, 2009

JOSEPH C. LIBURT
TRACY L. SCHEIDTMANN
ORRICK, HERRINGTON & SUTCLIFFE LLP

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6 /s/ Joseph C. Liburt /s/

7 Joseph C. Liburt
8 Attorneys for Defendants
ORACLE CORPORATION, SIEBEL SYSTEMS,
9 INC., and SIEBEL SYSTEMS INC. SENIOR
EXECUTIVE RETENTION BENEFIT PLAN

10 Dated: June 19, 2009

ALAN B. EXELROD
PATRICE L. GOLDMAN
RUDY, EXELROD & ZIEFF LLP

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13 /s/ Patrice L. Goldman /s/

14 Patrice L. Goldman
Attorneys for Plaintiffs
BRUCE CLEVELAND and STEVEN MANKOFF

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16 I hereby attest that concurrence to the filing of this document has been obtained
17 from all signatories; such concurrence shall serve in lieu of their signature on the document.

18
19 Dated: June 19, 2009

JOSEPH C. LIBURT
TRACY L. SCHEIDTMANN
ORRICK, HERRINGTON & SUTCLIFFE LLP

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21
22 /s/ Joseph C. Liburt /s/

23 Joseph C. Liburt
Attorneys for Defendants
ORACLE CORPORATION, SIEBEL SYSTEMS,
24 INC., and SIEBEL SYSTEMS INC. SENIOR
EXECUTIVE RETENTION BENEFIT PLAN

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: June 23, 2009



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